

City of Columbus
Public Hearing – 5341 190th LANE NE VARIANCE REQUEST (PC 18-113)
June 6, 2018

The June 6, 2018 Public Hearing to receive testimony regarding a request for a variance consider a request for a variance from the required 75' feet Shoreland Ordinary High Water Line (OHWL) setback from a general development lake to a 13.5' foot Shoreland (OHWL) lake setback for construction of a new deck was called to order at 7:03 p.m. by Chair Garth Sternberg at the City Hall. Present were Commission members: James Watson, Pam Wolowski, Jesse Preiner, and Jody Krebs; City Administrator Elizabeth Mursko; and Recording Secretary Rochelle Busch.

Also in attendance were John Young, Thomas Look, and Dina Marie Denne.

Sternberg: Now were going to, were going to have a public hearing and discussion for 5341 190th Lane Ne, variance request pages 1-6 and enclosure. And at this time I would like to ask the recording secretary to read the notice as published.

Notice was read at this time by the recording secretary.

Sternberg: Thank you. And at this time if the applicants could please come forward. Welcome, and if you just state you name and address for the record.

Look: I'm Thomas R Look, 5341 190th Lane Ne Wyoming MN 55092

Denne: I'm Dina Marie Denne, 5341 190th Lane Ne Wyoming MN 55092

Sternberg: Thank you. Feel free to have a seat. And then if you can just give us a little background on what it is you're asking.

Look: So, a couple years back we came in to get a variance in order to build our house. That was a 45 foot set back that we asked for that time. As you see there's just that odd finger that comes up on the property. But since that's at the 904.75 we have to go by that finger for the setback. How we skipped the deck when we, you know, we just had the foundation for that original variance. So, we didn't think anything of it. I came into get a building permit Leon came out and he's like "well you don't have a variance for the deck and that encroaches further on that line." And so we tried everything to try to figure out how we could move the deck and all that stuff. We didn't want to go through that variance process again, we didn't want to do whatever. While in the meantime the DNR and the Conservation District, had come out to the house and looked at what we were going to do and that sort of stuff. Jason Spiegel said that they won't sign off on any project or anything like that, but he said building a deck isn't something would comment on. And then Becky Wozney, from the Conservation District said she was ok with the plans for the deck and how it was going to go and all that. So we applied for the variance and here we are.

Sternberg: And that's, that's that?

Look: That's that.

Mursko: That's the whole story.

Sternberg: Ok. So any questions, for the applicant?

Watson: Do you have any documentation from Beck Wozney?

Look: I don't. She didn't give me, I don't know if she spoke with Elizabeth?

Mursko: I spoke with, I had a meeting with Jason Spiegel, so I did have an opportunity to talk with him about this particular site. He was out at the site, he looked at it, at this time had no issues with a 13.5 foot setback. They will not put that in writing. What they indicated is, he was sent the application so he has all the materials. They have 30 days to comment. And he indicated to me he would not comment. He felt that it was, I won't say appropriate, because they won't even put those words, but it was within guidelines for what they wanted to do, which was a deck. Clearly they're a long ways from the lake. It just happens to be that the contour line goes so close, that it's kind of an unusual circumstance. And he recognized that. Becky looks at it from a wetland conservation perspective. And in this particular case, she felt that there was the wetland buffer, it wasn't impacting wetlands, it was part of the house. And so she really didn't have a comment because it was not impacting wetlands.

Look: And chances are, for everything that we have there, that's not all going to be built. I just don't want to come back again. I mean I love you guys but. So we put everything on that we could possibly think of that we might ever do. If I win the lottery, it will look like that.

Sternberg: Sure.

Wolowski: Otherwise it's going to be the one closest to the house?

Look: Right, yep

Wolowski: Is the home on 22? On lot 22?

Look: The homes on 23, 22, and 21.

Wolowski: OK that's what I thought.

Mursko: The home exists today.

Wolowski: I'm reading, I remember this. We had to do setbacks for the original right?

Look: Right.

Wolowski: OK

Sternberg: There are no lots. But doesn't the City own the lot, to the east?

Mursko: Do you have neighbors on both sides? I don't remember

Look: No, so on Lexington. But it was owned by someone. They actually contacted us to see if we wanted it. But we didn't just because we didn't to pay improvements if Lexington got expanded or anything. So there is, Lot 25 is, was owned by someone, he maybe gave it to the city.

Mursko: I think we own 27 and 28. I think 25 and 26 is owned by somebody else.

Sternberg: Any other questions? Ok I'm going to open the hearing to the public. Any one from the public want to speak? Any one from the public? Ok, I'm going to close the hearing with the right to reopen.

At this time Chair Sternberg closed the Public Hearing. Hearing closed at 7:09 p.m.

Respectfully submitted:

Rochelle Busch, Recording Secretary